

JENNIFER S. FISCHMAN,  
Plaintiff,

MITSUBISHI CHEMICAL HOLDINGS  
AMERICA, INC. et al.

Defendants.

**DECLARATION OF MATTHEW L. BERMAN  
IN OPPOSITION TO DEFENDANT’S MOTION FOR SANCTIONS**

3. Attached hereto as **Exhibit 1** is a true and accurate copy of pages 209-210 of the transcript of the deposition of Pat Saunders taking place on September 30, 2021.

4. Attached hereto as **Exhibit 2** is a true and accurate copy of plaintiffs' exhibit 63, marked during the deposition of Pat Saunders on September 30, 2021.
5. Attached hereto as **Exhibit 3** is a true and accurate copy of pages 143-144 of the deposition of Nicholas Oliva taking place on July 15, 2021.
6. Attached hereto as **Exhibit 4** is a true and accurate copy of plaintiff's exhibit 51, marked during the deposition of Nicholas Oliva on July 15, 2021.
7. Attached hereto as **Exhibit 5** is a true and accurate copy of pages 620-624 of the deposition of Jennifer Fischman taking place on July 26, 2021.
8. Attached hereto as **Exhibit 6** is a true and accurate copy of documents produced by Ms. Fischman in this litigation, bates stamped Fischman000788-833.
9. Attached hereto as **Exhibit 7** is a true and accurate copy of pages 557-565 of the deposition of Jennifer Fischman taking place on July 26, 2021.
10. Attached hereto as **Exhibit 8** is a true and accurate copy of the deposition of Gerald M. LaPorte taking place on October 7, 2021.
11. Attached hereto as **Exhibit 9** is a true and accurate copy of page 284 of the deposition of Jennifer Fischman taking place on June 28, 2021.
12. Attached hereto as **Exhibit 10** is a true and accurate copy of an article in FORENSIC SCIENCE INTERNATIONAL by Weyerman, Almog, Bugler and Cantu, entitled *Minimum requirements for application of ink dating methods based on solvent analysis in casework*.
13. Attached hereto as **Exhibit 11** is a true and accurate copy of the dissertation of Dr. Celine Weyerman, entitled *Mass Spectrometric Investigation of the Aging Processes of Ballpoint Ink for the Examination of Questioned Documents*.

14. Attached hereto as **Exhibit 12** is a true and accurate copy of Koenig, Magnolon & Weyerman, *A comparative study of ballpoint ink ageing parameters using GC/MS*, FORENSIC SCIENCE INTERNATIONAL.

15. Attached hereto as **Exhibit 13** is a true and accurate copy of an article in SCIENCE AND JUSTICE, by Koenig and Weyerman, entitled *Ink Dating Part II – Interpretation of Results in a Legal Perspective*.

16. Attached hereto as **Exhibit 14** is a true and accurate copy of a 2015 paper published by forensic scientists Patricia Giebink, Erich Speckin, and Jason Harner entitled *The Dating of Writing Inks Through 2-Phenoxyethanol*.

17. Attached hereto as **Exhibit 15** is a true and accurate copy of Exhibit 3, identified during the deposition of Gerald M. LaPorte, consisting of a excerpt from a paper by Carina Maria Bello de Carvalho, Rafael Scorsatto Ortiz, Renata Pereira Limberger, entitled *Figures of Merit Evaluation of GC/MS Method for Quantification of 2-Phenoxyethanol From Ballpoint Pen Ink Lines and Determination of the Influence of Support Paper on Solvent Extraction*, in QUIM NOVA, Vol. 42, No. 1, 42-48, 2019, available at <https://doi.org/10.21577/0100-4042.20170308>.

18. Attached hereto as **Exhibit 16** is a true and accurate copy of a paper in the EGYPTIAN JOURNAL OF CHEMISTRY, authored by El-Sabbah, Gomaa, El-Hefny and Al-Hawary, entitled *Dating the Ballpoint Pen Ink Using Gas Chromatography-Mass Spectrometry Techniques*.

19. Attached hereto as **Exhibit 17** is a true and accurate copy of the decision, dated April 8, 2011, of the tribunal in *Gallo v. Government of Canada*.

20. Attached hereto as **Exhibit 18** is a true and accurate copy of the SWGDOC standard for forensic ink writing comparison.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

By: /s/ Matthew L. Berman  
Matthew L. Berman, Esq.

Dated: Garden City, New York  
November 22, 2021